

Attorney Docket No. 9286.7
Application Serial No.: 10/019,902
Filed: July 2, 2002
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REMARKS

Claims 1-6, 9-12, 14-16, 18, 20, 23, 27 and 28 are pending in this application. Claims 1-5 are canceled herein without prejudice. Claims 6, 10, 12, 15, 18, 23, 27 and 28 are amended herein for clarity and to more particularly define the invention. Support for these amendments can be found in the language of the original claims and throughout the specification, for example, at least, in original claims 3, 6 and 9, and on page 7. No new matter is added by these amendments and their entry is respectfully requested. In light of the amendments presented herein and the following remarks, applicants respectfully request reconsideration of the pending application and the allowance of the pending claims to issue.

I. Claim Rejection under 35 U.S.C. §102(b).

The Action states that claims 1-5, 10-12, 14-16, 23, 27 and 28 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Unverganst et al. (*Carbohydrate Res.* 251 285-301(1994)). Specifically, the Action states that the Unverganst et al. products meet the requirements of the claims as amended in the last response dated January 5, 2007.

Claims 10, 12, 15, 23, 27 and 28 are amended herein to recite X is C or CH and that in the compound at least three R are not hydrogen. Unverganst et al. does not teach or suggest compounds as claimed in the present invention, wherein X is C or CH and at least three R are not hydrogen. Accordingly, Applicants respectfully submit that the rejection of claims 1-5, 10-12, 14-16, 23, 27 and 28 under 35 U.S.C. §102(b) is overcome and thus, respectfully request that it be withdrawn.

II. Claim Rejections under 35 U.S.C. §103(a).

A. The Action states that claims 1-5, 10-12, 14-16, 18, 20, 23, 27 and 28 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Unverganst et al. (*Carbohydrate Res.* 251 285-301(1994)).

Claims 10, 12, 15, 18, 23, 27 and 28 are amended herein to recite X is C or CH and that in the compound at least three R are not hydrogen. Unverganst et al. does not teach or suggest compounds as claimed in the present invention, wherein X is C or CH and at least three R are not hydrogen. Accordingly, Applicants respectfully submit that the rejection of claims 1-5, 10-12, 14-

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16, 18, 20, 23, 27 and 28 under 35 U.S.C. §103(a) is overcome and thus, respectfully request that it be withdrawn.

B. The Action states that claims 1-5, 10-12, 14-16, 18, 20, 23, 27 and 28 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Unverganst et al. in view of Mammen et al. (*Agnew. Chem. Int. Ed.*, 37:2754-2794 (1998)).

As discussed above, claims 10, 12, 15, 18, 23, 27 and 28 are amended herein to recite X is C or CH and that in the compound at least three R are not hydrogen. Unverganst et al. does not teach or suggest compounds as claimed in the present invention, wherein X is C or CH and at least three R are not hydrogen. Furthermore, Mammen et al. fails to remedy the deficiencies of Unverganst et al. Accordingly, Applicants respectfully submit that the rejection of claims 1-5, 10-12, 14-16, 18, 20, 23, 27 and 28 under 35 U.S.C. §103(a) is overcome and thus, respectfully request that it be withdrawn.

C. The Action states that claim 6 is rejected as allegedly being unpatentable over Watowich et al. (*Structure* 2:719-731 (1994)). Specifically, the Action states that claim 6 has been searched with respect to the first subgenus wherein X=C and this subgenus is enabled and free of the art. The Action further states that the next subgenus selected is C₆H_{6-m}. The Action then states that Watowich et al. teaches a bivalent sialoside having two "K-R" moieties meeting the structural limitations of said moieties. The Action finally states that claim 6 would be allowable if amended to recite X=C.

Claim 6 is amended herein to recite that X=C or CH. Accordingly, applicants respectfully submit that claim 6 is patentable over Watowich et al. and respectfully, request the withdrawal of this rejection.

III. Allowable Subject Matter.

Applicants note with appreciation that the Action states that claim 9 is allowable and claim 6 would be allowed if limited to X=C. Office Action, page 5.

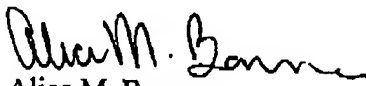
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Claim 6 is amended herein to recite $X=C$ or CH , thereby rendering it allowable. Accordingly, applicants respectfully submit that both claims 6 and 9 are allowable, which action is respectfully requested. Furthermore, as discussed above, claims 10-12, 14-16, 18, 20, 23, 27 and 28, are amended herein to include the recitations of claim 6, wherein X is C or CH and at least three R are not hydrogen. Accordingly, applicants respectfully submit that, similar to claim 6, claims 10-12, 14-16, 18, 20, 23, 27 and 28 are also allowable, which action is respectfully requested.

Having addressed all of the issues raised by the Examiner in the present Action, applicants respectfully request the withdrawal of the pending rejections and allowance of the pending claims to issue. The Examiner is invited and encouraged to contact the undersigned directly if such contact will expedite the prosecution of this application to allowance.

No fee is believed due for the consideration of this response. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0220.

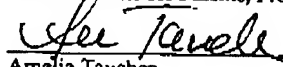
Respectfully submitted,


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